
F/YR21/0644/RM

**Applicant: Bassmore developments Ltd Agent: Mr Adam Sutton
A L S Design Services**

Land East Of 20, Station Street, Chatteris, Cambridgeshire

Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR20/0081/O to erect 2-storey 3-bed dwelling

Officer recommendation: Refuse

Reason for Committee: Referred by Head of Planning on advice of Committee Chairman

1 EXECUTIVE SUMMARY

- 1.1. This application is a reserved matters application following an outline planning permission with matters committed in respect of access to erect a dwelling, granted in March 2020. The site forms part of the side garden, parking and turning areas of the host dwelling, No.20 Station Street, Chatteris.
- 1.2. The proposal is considered to be compliant with Policies LP16 and LP18 with regard to design, character and the impact on heritage. Notwithstanding, consideration should be paid to the impact of the proposal to neighbouring residential amenity.
- 1.3. The proposal will see a significant overbearing and overshadowing to dwellings 2 & 2A Wimpole Street to the east, and No.20 Station Street to the west. With an expanse of black wall causing enclosure of the rear of Nos. 2 & 2A and a poor outlook and a sense of overbearing from the upper floor windows of No.20 that direct face the site. In addition, the proposal will see neighbouring dwellings to the east and west overshadowed for significant portions of the day.
- 1.4. Whilst some of the Reserved Matters are therefore considered acceptable, it is concluded that the proposed dwelling will result in unacceptable impacts in relation to the residential amenity of neighbouring residents due to the resultant overbearing and overshadowing created by the scheme. There are no material considerations that justify the approval of the scheme contrary to Policies LP2 and LP16 (e) of the Fenland Local Plan (2014), and as such is recommended for refusal.

2 SITE DESCRIPTION

- 2.1. The site forms part of the side garden, parking and turning areas of the host dwelling, No.20 Station Street. The host dwelling is a large, detached house set back from the road with a forward flat-roof double garage. Other properties along Station Street tend to be smaller and older terraced style

abutting or close to the footpath. The character of the area is predominately residential two-storey development. The site is located within the Chatteris Conservation Area and falls within Flood Zone 1.

3 PROPOSAL

- 3.1. This application is a reserved matters application following an outline application with matters committed in respect of access to erect 1 dwelling, granted in March 2020. Further matters relating to appearance, landscaping, layout and scale were reserved and are for consideration within this application.
- 3.2. The submitted details include: A 2-storey, 3-bedroom dwelling with a hallway, lounge, utility, WC, kitchen/dining room on the ground floor, with three bedrooms (one en-suite) and a shared bathroom and landing space on the first floor.
- 3.3. The overall site would measure approximately 342m² and will be enclosed with 1.8m close boarded timber fence to the sides and a mature hedge to the rear. The site frontage would include a driveway/parking area with small areas of planting.
- 3.4. The dwelling will include a gable roof with a maximum ridge height of approximately 7m and the eaves 4.4m approx. with a front gable projection reaching a maximum height of 5.9m to the ridge and 4.4m to the eaves. A small, covered porch will be set to the front with a lean-to roof reaching approximately 3.4m to the ridge and 2.4m to the eaves.
- 3.5. The site frontage will include a block paved driveway (as existing) and car parking for at least two vehicles.
- 3.6. Windows and doors at the property will be predominately to the front and rear elevations, save for a kitchen window and rear utility door to the west side elevation on the ground floor. First floor openings will be limited to the front and rear elevations only, with blank east and west elevations. Roof lights are proposed to the western roof slope.
- 3.7. Materials for the dwelling include:
 - Wienerberger harvest brick, buff external brickwork;
 - Redland 49 concrete interlocking roof tiles;
 - White uPVC joinery; and
 - White uPVC rainwater goods.
- 3.8. Hard and soft landscaping at the site includes a driveway, patio and front and rear lawn areas with planting set out in a submitted landscaping schedule. Two existing Silver Birch trees to the rear are proposed to be retained.

4 SITE PLANNING HISTORY

F/YR20/0081/O	Erect 1 dwelling (outline application with matters committed in respect of access)	Granted 24.03.2020
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F/YR08/1016/F	Erection of a first-floor side extension and attached single garage to existing dwelling; and erection of 1.5m high brick wall with railings 20 Station Street	Granted 22.12.2008
F/YR06/1011/F	Erection of a part 2-storey, part first-floor side and front extension and 1.5 metre high wall	Refused 11.10.2006
F/YR05/1465/F	Erection of a part 2-storey, part first-floor side and front extension and 2.2 metre high wall	Refused 09.02.2006
F/YR05/1232/F	Erection of a part 2-storey, part first-floor side and front extension and 1.1 metre high wall	Refused 20.12.2005

5 CONSULTATIONS

5.1. Senior Archaeologist (CCC)

Thank you for your consultation. We have reviewed the above referenced planning application and have no objections or requirements for this development.

5.2. Chatteris Town Council – Support

5.3. Environment & Health Services (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed scheme as it is unlikely to have a detrimental effect on local air quality and the noise climate or be affected by ground contamination.

5.4. Local Residents/Interested Parties

One letter of objection received to the scheme from a resident of Wimpole Street, citing the following as reasons for objection:

- Design/Appearance
- Loss of view/Outlook
- Shadowing/loss of light
- Visual Impact

Concerns were raised regarding the expanse of the proposed dwelling adjacent to the rear boundaries of Nos 2 & 2A Wimpole Street, and the overbearing and overshadowing impact that this may cause owing to the two storey height of the proposed dwelling.

6 STATUTORY DUTY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

6.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

7.1. National Planning Policy Framework (NPPF) July 2021

Para 47 – Applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise;
Para 126 – Good design is a key aspect of sustainable development;
Para 130 – Planning policies and decision should ensure developments are sympathetic to local character and history;

7.2. National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3. National Design Guide 2019

C1 – Understand and relate well to the site, its local and wider context
I1 – Respond to existing local character and identity
H1 – Healthy, comfortable and safe internal and external environment
H2 – Well-related to external amenity and public spaces
L1 – Well managed and maintained

7.4. Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP14 – Responding to Climate Change and Managing the Risk of Flooding
LP15 – Facilitating the Creation of a More Sustainable Transport Network
LP16 – Delivering and Protecting High Quality Environments
LP18 – The Historic Environment

8 KEY ISSUES

- **Principle of development**
- **Appearance and Impact on Heritage**
- **Landscaping**
- **Layout and Scale**
- **Residential Amenity**

9 ASSESSMENT

Principle of development

- 9.1. The principle of development has been established through the outline planning permission for the site F/YR20/0081/O, granted in March 2020. This application therefore relates to the approval of appearance, landscaping, layout and scale details.

Appearance and Impact on Heritage

- 9.2. The proposed dwelling is intended to utilise materials that are reflective of many of the other dwelling within the vicinity. Furthermore the overall design of the dwelling will be similar to that of the host dwelling at No.20. As such, it is considered that the overall appearance of the dwelling is acceptable, as it will not out of character with the surrounding existing development within the streetscene of Station Road.
- 9.3. The site is located within Chatteris Conservation Area. There are several examples of similar dwellings to the proposed within the Conservation Area

surrounding the site and as such is it considered that the proposal will offer congruent development that will not cause undue harm to the heritage asset.

- 9.4. Thus, the proposal is considered to be compliant with Policies LP16 and LP18 with regard to design, character and the impact on heritage. Notwithstanding the acceptability of the proposal in terms of appearance and character within the streetscene, consideration should be paid to the impact of the proposal to neighbouring residential amenity, discussed in more detail below.

Landscaping

- 9.5. Hard landscaping around the majority of the perimeter of the dwellings is proposed in the form of block paving and paving slabs. Generally these materials are considered an appropriate hard landscaping option at the site and are reflective of the materials used within neighbouring development.
- 9.6. Soft landscaping at the site will include some areas of shrub planting to the front with the rear garden predominately laid to lawn, with the existing rear boundary hedge and two Silver Birch trees retained.
- 9.7. Details within the submitted landscape schedule regarding the proposed shrub planting will include species such as Lonicera Pileatea, Rose Rugosa, and Syringa Vulgaris. In addition, it is stated that the landscape scheme will be implemented during the first planting season after completion of the development with a caveat included if any planting is removed, destroyed, dies, or becomes damaged or defective, it shall be replaced by planting as originally approved.
- 9.8. Overall, it is considered that the hard and soft landscaping proposals at the site are acceptable.

Layout and Scale

- 9.9. At Outline stage, the scheme included a similar footprint and design to that submitted within this Reserved Matters stage, but the ground floor included an integral garage, which has now been reconfigured to be utilised as internal living space.
- 9.10. The dwelling will have an approximate footprint of 92m² within the total 342m² (approx.) plot, equating to approximately 27% of the overall plot area, with approximately 125m² (37%) retained as private amenity space. Thus the dwelling will not constitute an overdevelopment of the relative plot area.
- 9.11. At Outline stage, the indicative elevations suggested that the main part of the dwelling would reach an approximate maximum height of 7.7m to the ridge and 5.2m to the eaves. Owing to the Officers' comments with regard to the Outline application, the initial Reserved Matters submission offered a reduction in overall heights to approximately 7.1m to the ridge and 4.9m to the eaves. However, owing to concerns raised by the Case Officer in relation to residential amenity (discussed in more detail below) this was further reduced to the submission considered herein, (approximately 7m to the ridge and 4.4m to the eaves).

- 9.12. This application included a depiction of the likely street scene elevations, which confirms that the overall height of the dwelling will be set approximately 0.6m lower than the ridge than the host dwelling to the west, No.20, and approximately 0.2m higher than the adjacent dwelling to the east, No.16. Thus, the proposed dwelling will assimilate itself between its adjacent neighbours in terms of height and will not result in the proposal appearing dominating within the street scene.

Residential Amenity

- 9.13. The site is situated in a built-up area of Chatteris, with residential properties surrounding it to all sides.

9.14. North

The dwelling is proposed to be set back from the highway edge, approximately 19m from the dwellings opposite to the northern side of Station Street. As such, this distance is considered sufficient to mitigate any potential overlooking or overshadowing to dwellings to the north as a result of the development proposed on the south side of Station Road.

9.15. North-east

The dwelling will be set approximately 9m from the nearest corner of the dwelling to the north-east, No.16, a two storey dwelling set at the back edge of the public footpath on the south side of Station Road. Between the proposed dwelling and No.16 is a detached single garage with pitched roof, belonging to No.16. Owing to the set back of the proposed dwelling from the highways edge, and hence the screening provided by the garage between the dwellings, there will be limited impact from overlooking or overshadowing of the neighbouring dwelling or its private amenity space at No.16 to reconcile as a result of the scheme.

9.16. East

Immediately east of the site, the nearest dwellings are Nos.2 & 2A Wimpole Street, whose rear boundaries form the eastern boundary of the development site. The dwellings at Nos.2 & 2A are situated approximately 12.8m and 12.6m, respectively, away from the eastern flank wall of the proposed dwelling. Whilst a 12m separation distance is usually considered acceptable, the dwelling proposed is unusually deep, at approximately 13.5m (max), and will therefore entirely encompass the rear boundaries of Nos 2 & 2A (totalling 11.3m approx.) with a two storey blank elevation wall. The boundary treatment to the east of the development site comprises 1.8m close board timber fencing, that is due to remain. There are some instances of vegetation to the rear boundaries of Nos 2 & 2A that have grown higher than the fencing.

- 9.17. Owing to the lack of fenestration proposed to the eastern elevation of the dwelling, there will be no issues of direct overlooking to reconcile. However, due to the same, the outlook from Nos 2 & 2A will result in the blank eastern elevation wall of the proposed dwelling forming the entirety of the rear boundaries for both dwellings to a height of approximately 2.6m (above the fence line) to its eaves. Despite the limited screening provided by the vegetation to the boundaries, this will encompass a significant enclosure to the rear of the dwellings at 2 & 2A and will result in a significant overbearing

impact to the dwellings and, in particular, their private amenity spaces, that does not currently exist.

- 9.18. Furthermore, a desk top study relating to the potential overshadowing impact of the proposal concluded that the intended 7m height of the dwelling would result in considerable overshadowing of a significant portion of the private amenity spaces of Nos 2 & 2A during the afternoon hours for several months of the year, with shadows cast by the proposal likely reaching the rear elevations of Nos 2 & 2A in the late afternoon and early evening, particularly during the winter months when the sun is lower in the sky.
- 9.19. South-east
The dwelling will be set in the region of 12m from the nearest dwelling to the south-east, No.4 Wimpole Street, a single-storey bungalow. The orientations of the two dwellings will result in the proposed dwelling's private amenity space being positioned perpendicular to that of No.4. As such, the angles of visibility between the two, coupled with the screening provided by the 1.8m close boarded fence, will limit any minor impacts of overlooking, overbearing or overshadowing as a result of the scheme to this dwelling.
- 9.20. South and South-west
The proposed dwelling will be set sufficiently distanced from dwellings to the south and south-west (Nos.10 & 12 Wimpole Street, respectively) so as not to cause undue overlooking, overbearing or overshadowing to these dwellings.
- 9.21. West
The further concern relating to the scheme is the relationship between the proposed dwelling and No.20, particularly with regard to overbearing and overshadowing. No.20 Station Street, to the west of the application site, is a two-storey dwelling, with forward single-storey attached garages.
- 9.22. On the eastern elevation at No.20, facing the development site, fenestration includes a central window appearing to serve a utility room and rear door to the kitchen on ground floor, with three further windows to the first floor. From desk top investigation by the Case Officer the first floor windows appear to serve (from front to back) a bedroom/study, a bathroom, and bedroom two. The bedroom to the back of the house includes a secondary window positioned on the rear elevation of No.20.
- 9.23. The proposed dwelling is due to be set approximately 2.7m east of No.20. The western flank wall, facing No.20, is proposed to include no first-floor fenestration, with roof lights installed to its western roof slope. Whilst it is acknowledged that the first-floor windows in particular serve secondary habitable rooms and that the rear bedroom offers a secondary window to the rear, the proximity of the proposed dwelling, coupled with its expanse of blank flank wall and roof will result in poor outlook and a sense of overbearing from the upper floor windows to occupants of the adjacent No.20.
- 9.24. Furthermore, this proximity would result in significant overshadowing to all the openings on the opposing elevation of No.20, reducing light ingress into

several rooms within No.20 to sub-standard levels for a significant portion of the day.

- 9.25. As such, these impacts of overbearing and overshadowing owing to the close proximity and height of the proposed dwelling are unacceptable.
- 9.26. Amenity conclusion
These above concerns were intimated with the Officer Report of the Outline application (F/YR20/0081/O) for the erection of 1 dwelling, which stated:
- 9.27. *The full details of window layouts will need to be carefully considered at Reserved Matters stage, particularly in respect of those dwellings at 2 and 2A Wimpole Street. Similarly, the eaves and ridge height of the proposed dwelling will need to be carefully considered, as the illustrative height shown in relation to those properties is likely to cause overshadowing of the amenity areas and a poor outlook for the existing occupiers. It is likely that the eaves and ridge heights will need to be reduced from that indicatively shown.*
- 9.28. The initial Reserved Matters submission following approval of the Outline scheme did offer a minor reduction in roof ridge and eaves heights (from 7.7m to the ridge and 5.2m to the eaves at Outline stage to 7.1m to the ridge and 4.9m to the eaves at initial Reserve Matter stage). However, it was not considered that these reductions were significant enough to resolve the subsequent concerns relating to the outlook and light, issues of overbearing and overshadowing.
- 9.29. These concerns were further raised with the applicant with regard to the initial scheme proposed within the Reserved Matters application, with recommendations to alter the design to perhaps a single storey, or at least consider more closely the relationships and impacts from the two-storey dwelling to adjacent properties.
- 9.30. Within the resultant scheme, considered herein, the applicant resolved to reduce the ridge height by a further 0.1m approx. and amend the roof angle to enable the eaves height to be reduced by 0.5m approx. to 7m to the ridge and 4.4m to the eaves. The LPA sought to get the scheme further reduced in height, but the applicant did not wish to alter the scheme further, offering the following justification:
- 9.31. *The reduction in eaves height means that the level of the eaves will now be approximately halfway up the corresponding windows of number 20 Station Street, thus providing a horizontal break from brickwork wall to roof tile. The roof sloping away from the existing dwelling also helps reduce the impact on the neighbouring property. The introduction of 3 number Velux style roof windows provides further breaks within the roof which again reduced the impact on the outlook for the existing dwelling by nature of breaking up the flanking wall.*
- 9.32. Whilst the above justification is acknowledged and may go some way to mitigate the impacts to No.20 to the west, the resultant outlook from the windows within No.20 will still be poor. As such, it is considered that the proposed changes were not substantial enough to overcome the resultant

amenity issues. Furthermore, this justification does not consider the impacts of the proposal to any other dwellings, including 2 & 2A Wimpole Street to the east.

- 9.33. Owing to the proximity of the site to dwellings to the east and west, the lack of fenestration proposed to these sides, the significant shadowing that will occur as a result of the proposed two-storey dwelling, and the poor outlook afforded to neighbouring dwellings, it is considered that the overbearing and overshadowing impacts and loss of light from the development will result in unacceptable levels of residential amenity to neighbouring dwellings. As such, the proposal is deemed to be in contravention of Policies LP2 and LP16 in this regard.

10 CONCLUSIONS

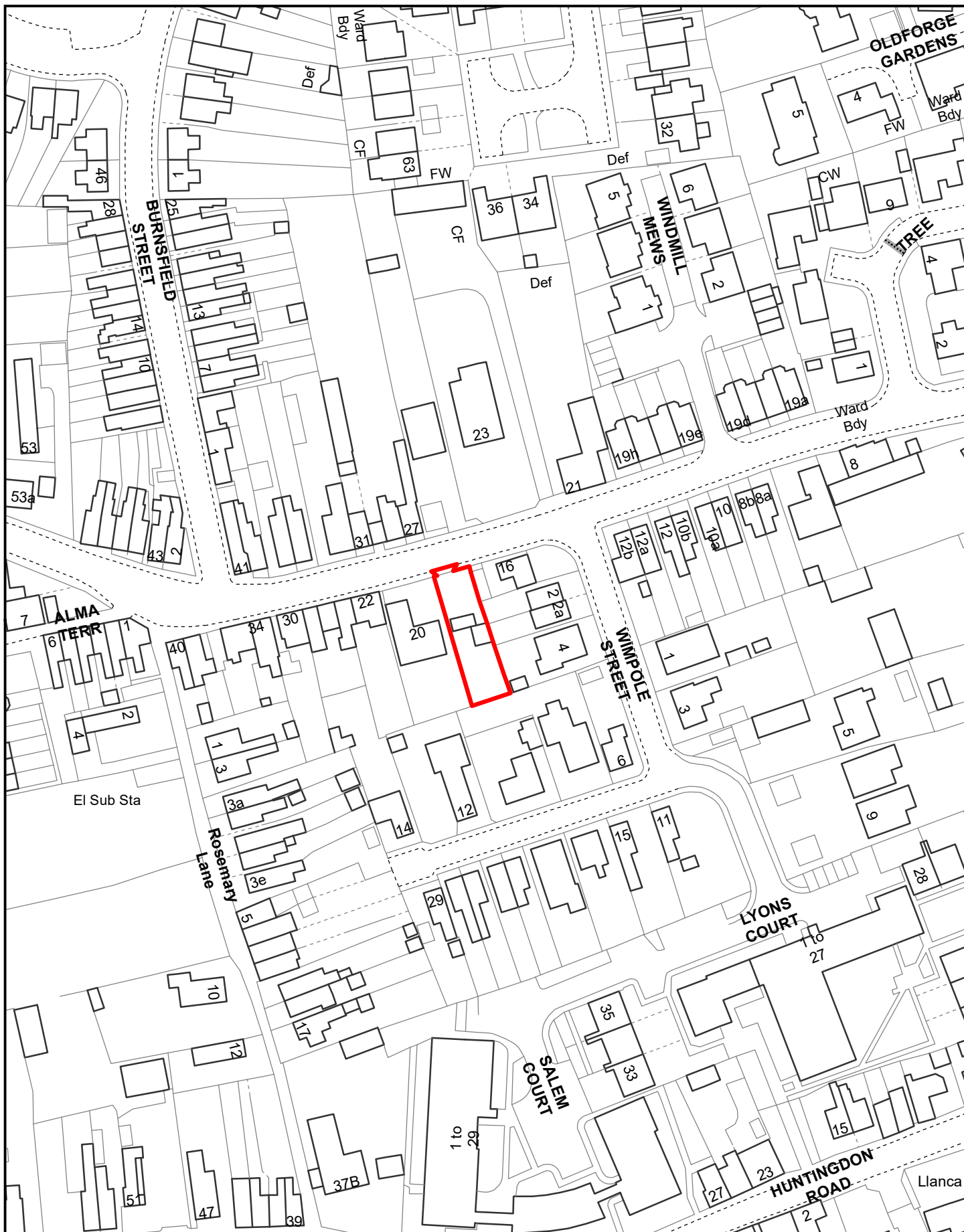
- 10.1. This reserved matters application follows the outline planning permission for developing the site considering the matters of appearance, layout, scale and landscaping. Access was agreed at outline stage.
- 10.2. Whilst some of the Reserved Matters are considered acceptable, it is concluded that the proposed dwelling will result in unacceptable impacts in relation to the residential amenity of neighbouring residents due to the resultant overbearing and overshadowing created by the scheme along with loss of light. There are no material considerations that justify the approval of the scheme contrary to Policies LP2 and LP16; as such a negative .

11 RECOMMENDATION

- 11.1. **Refuse**, for the following reason

Reason

1	Policies LP2 & LP16 (e) of the Fenland Local Plan seeks to ensure that development does not harm residential amenity, for example through overlooking or overshadowing, loss of light or noise and disturbance. The scale and positioning of the proposed development will cause considerable overbearing and overshadowing impacts to adjacent dwellings as well as a loss of outlook and light, resulting in harm to the existing amenity levels. The application is therefore contrary to Policies LP2 and LP16 (e) of the Fenland Local Plan (adopted May 2014).
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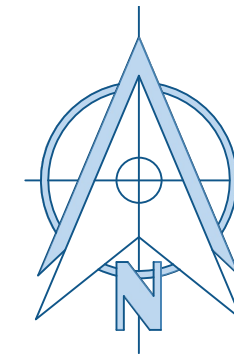
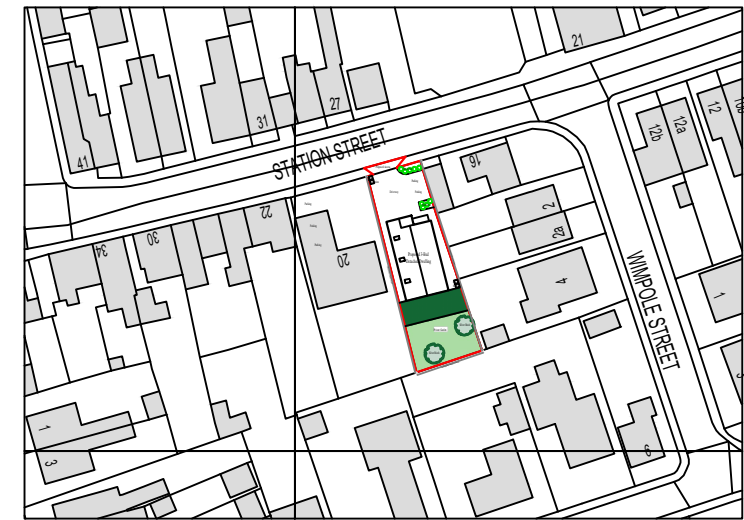
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Revision	Description	Date	Revised By

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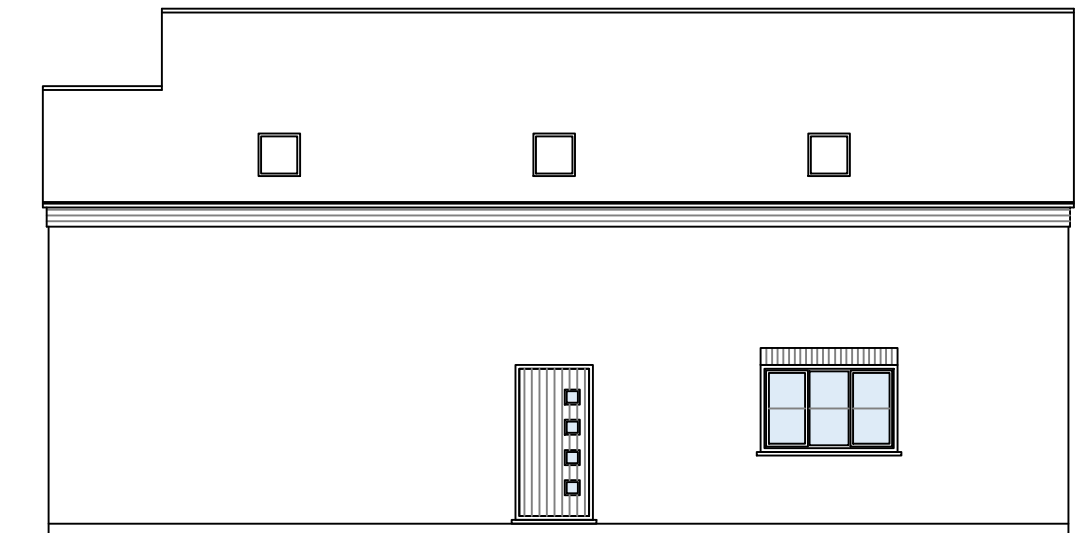
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Drawn By A. L. Sutton	Paper Size A3	Date April 2021
Project Name 021	Drawing Number 001	Revision -



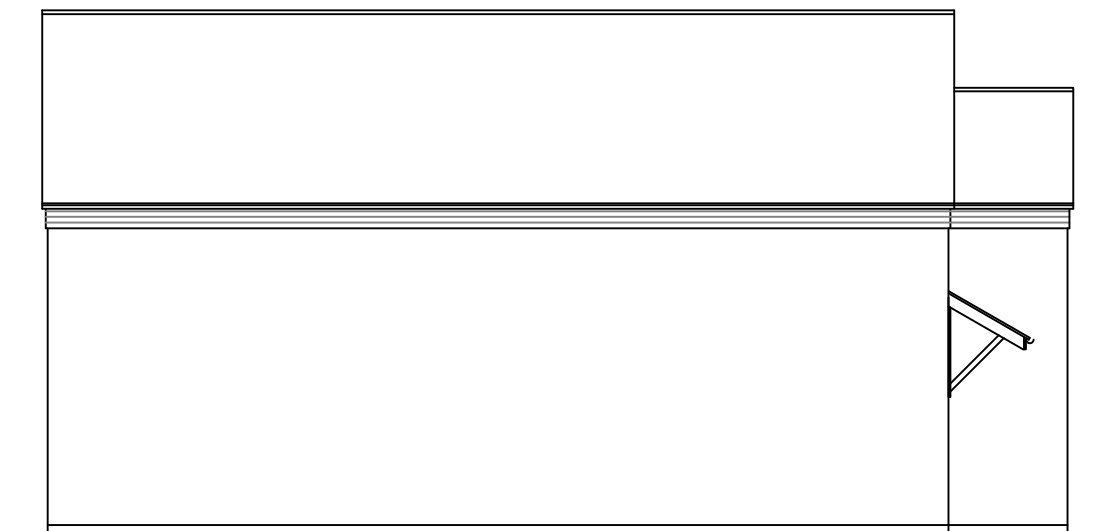
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Proposed Front Elevation
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Proposed Side Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100



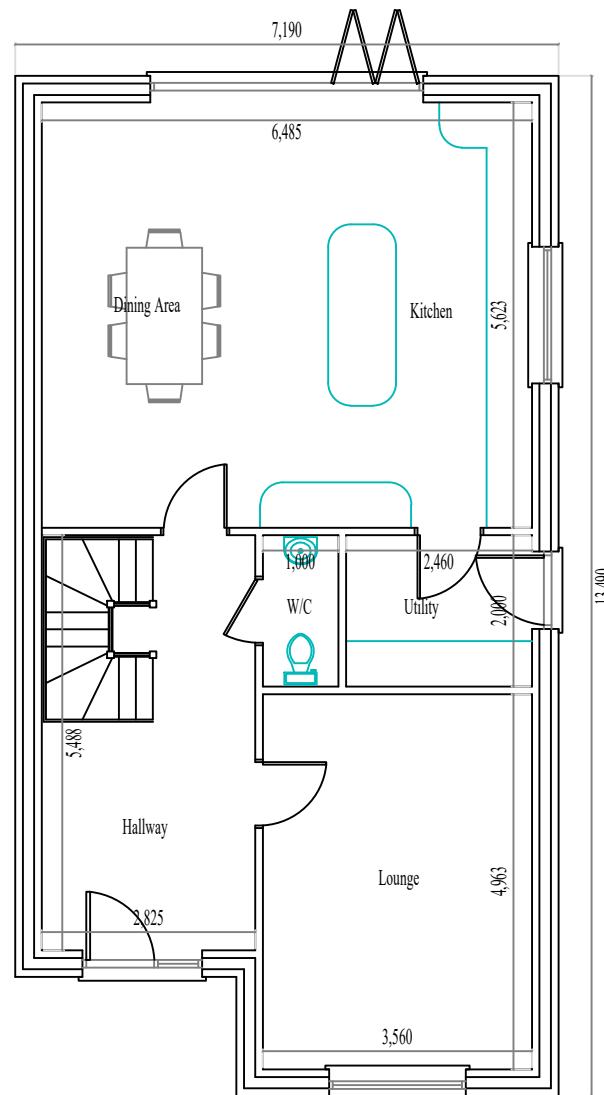
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Revision	Description	Date	Revised By

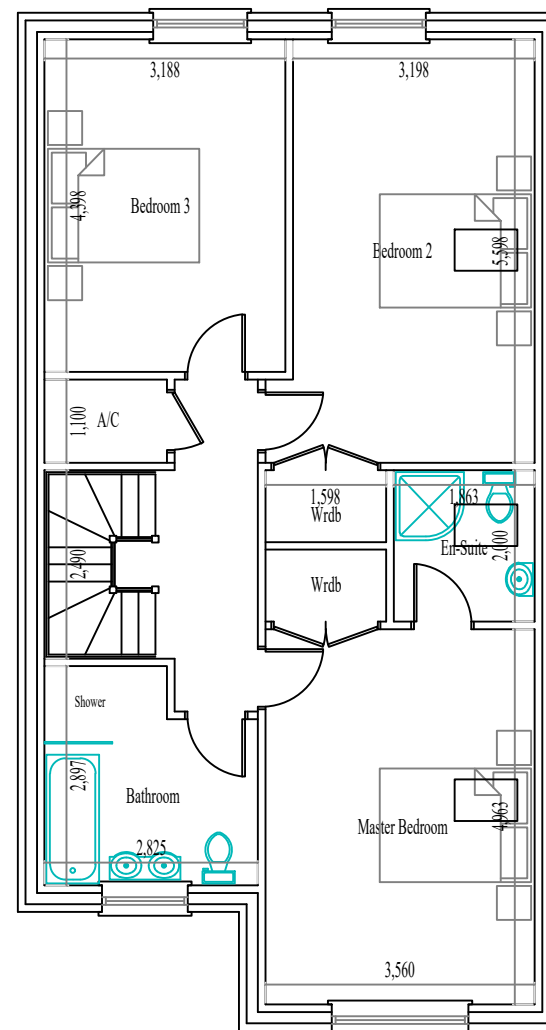
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Project Proposed Dwelling		
Drawing Title Proposed Elevations		
Address Land Adjacent 20 Station Street, Chatteris		
Drawn By A. L. Sutton	Paper Size A3	Date April 2021
Project Name 021	Drawing Number 003	Revision -



Proposed Ground Floor Plan
Scale 1:100



Proposed First Floor Plan
Scale 1:100

Revision	Description	Date	Revised By

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Project Proposed Dwelling		
Drawing Title Proposed Floor Plans		
Address Land Adjacent 20 Station Street, Chatteris		
Drawn By A. L. Sutton	Paper Size A3	Date April 2021
Project Name 021	Drawing Number 002	Revision -